



Rep. Michael K. Smith

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09400SB2579ham001

LRB094 16023 BDD 57267 a

1 AMENDMENT TO SENATE BILL 2579

2 AMENDMENT NO. _____. Amend Senate Bill 2579 as follows:

3 on page 4, line 7, after "amended by", by inserting "changing
4 Sections 509 and 510 and by"; and

5 on page 4, immediately below line 22, by inserting the
6 following:

7 "(35 ILCS 5/509) (from Ch. 120, par. 5-509)

8 Sec. 509. Tax checkoff explanations.

9 (a) All individual income tax return forms shall contain
10 appropriate explanations and spaces to enable the taxpayers to
11 designate contributions to the following funds: the Child Abuse
12 Prevention Fund, the Illinois Wildlife Preservation Fund (as
13 required by the Illinois Non-Game Wildlife Protection Act), the
14 Alzheimer's Disease Research Fund (as required by the
15 Alzheimer's Disease Research Act), Supplemental Low-Income
16 Energy Assistance Fund, the Assistance to the Homeless Fund (as
17 required by this Act), the Penny Severns Breast and Cervical
18 Cancer Research Fund, the National World War II Memorial Fund,
19 the Prostate Cancer Research Fund, the Lou Gehrig's Disease
20 (ALS) Research Fund, the Multiple Sclerosis Assistance Fund,
21 the Sarcoidosis Research Fund, the Leukemia Treatment and
22 Education Fund, the World War II Illinois Veterans Memorial
23 Fund, the Korean War Veterans National Museum and Library Fund,

1 the Illinois Military Family Relief Fund, the Blindness
2 Prevention Fund, the Illinois Veterans' Homes Fund, the
3 Epilepsy Treatment and Education Grants-in-Aid Fund, the
4 Diabetes Research Checkoff Fund, the Vince Demuzio Memorial
5 Colon Cancer Fund, the Autism Research Fund, the Asthma and
6 Lung Research Fund, and the Illinois Brain Tumor Research Fund.

7 Each form shall contain a statement that the contributions
8 will reduce the taxpayer's refund or increase the amount of
9 payment to accompany the return. Failure to remit any amount of
10 increased payment shall reduce the contribution accordingly.

11 (b) If, on October 1 of any year, the total contributions
12 to any one of the funds made under this Section do not equal
13 \$100,000 or more, the explanations and spaces for designating
14 contributions to the fund shall be removed from the individual
15 income tax return forms in accordance with subsection (d) for
16 the following and all subsequent years and all subsequent
17 contributions to the fund shall be refunded to the taxpayer.

18 (c) In any year, the individual income tax return forms may
19 not contain explanations and spaces for more than 18 funds. The
20 funds must be placed on the tax return forms in the
21 chronological order in which they were authorized. The
22 Department must maintain a reserve list of all income tax
23 checkoffs in excess of the 18 that are placed on income tax
24 return forms and, as set forth under subsection (d), of
25 checkoffs removed from the forms. The checkoffs on the reserve
26 list shall be placed on the tax return forms to replace those
27 funds that are removed from the forms under subsection (b) or
28 by law.

29 Funds must be placed on the reserve list in chronological
30 order, beginning with the first tax checkoff that became law
31 after the effective date of this amendatory Act of the 94th
32 General Assembly. If 2 or more checkoffs became law on the same
33 day, then the checkoff that passed both houses of the General
34 Assembly on the earliest date shall be listed first.

1 (d) If a tax checkoff is removed from the tax return forms
2 under subsection (b), the the checkoff shall be placed at the
3 bottom of the reserve list. If 2 or more checkoffs are removed
4 from the tax return forms under subsection (b) in the same
5 year, then the funds shall be placed at the bottom of the
6 reserve list in the order, from highest to lowest, of the
7 amount of contributions that the fund received during that
8 year. A fund that was removed from the return forms more than
9 once after the effective date of this amendatory Act of the
10 94th General Assembly may not be placed on the reserve list.

11 (Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03;
12 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff.
13 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff.
14 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff.
15 8-16-05; 94-649, eff. 8-22-05; revised 8-29-05.)

16 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

17 Sec. 510. Determination of amounts contributed. The
18 Department shall determine the total amount contributed to each
19 of the following: the Child Abuse Prevention Fund, the Illinois
20 Wildlife Preservation Fund, Supplemental Low-Income Energy
21 Assistance Fund, the Assistance to the Homeless Fund, the
22 Alzheimer's Disease Research Fund, the Penny Severns Breast and
23 Cervical Cancer Research Fund, the National World War II
24 Memorial Fund, the Prostate Cancer Research Fund, the Illinois
25 Military Family Relief Fund, the Lou Gehrig's Disease (ALS)
26 Research Fund, the Multiple Sclerosis Assistance Fund, the
27 Sarcoidosis Research Fund, the Leukemia Treatment and
28 Education Fund, the World War II Illinois Veterans Memorial
29 Fund, the Korean War Veterans National Museum and Library Fund,
30 the Illinois Veterans' Homes Fund, the Epilepsy Treatment and
31 Education Grants-in-Aid Fund, the Diabetes Research Checkoff
32 Fund, the Vince Demuzio Memorial Colon Cancer Fund, the Autism
33 Research Fund, the Blindness Prevention Fund, the Asthma and

1 Lung Research Fund, and the Illinois Brain Tumor Research Fund;
2 and shall notify the State Comptroller and the State Treasurer
3 of the amounts to be transferred from the General Revenue Fund
4 to each fund, and upon receipt of such notification the State
5 Treasurer and Comptroller shall transfer the amounts.

6 (Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03;
7 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff.
8 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff.
9 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff.
10 8-16-05; 94-649, eff. 8-22-05; revised 8-29-05.)".